

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DONNELLY J. LEBLANC	:	CIVIL ACTION
	:	
v.	:	No. 10-5215
	:	
CRAIG STEDMAN, <i>et al.</i>	:	

ORDER

AND NOW, this 21st day of July, 2011, upon consideration of the Defendants George Pappas and John Doe, Chief of Police's, Motion to Dismiss Plaintiff's Complaint Pursuant to Fed. R. Civ. P. 12(b)(6) (Document No. 25) and the plaintiff's response, it is **ORDERED** that the motion is **GRANTED IN PART** and **DENIED IN PART**.

IT IS FURTHER ORDERED as follows:

1. To the extent the motion seeks to dismiss the defendant John Doe, it is **GRANTED**;
2. The complaint is **DISMISSED** as to the defendant John Doe only;
3. To the extent the motion seeks to dismiss any conspiracy cause of action, it is **GRANTED**;
4. The conspiracy cause of action is **DISMISSED**;
5. Plaintiff shall file an amended complaint as the conspiracy cause of action, if he chooses to do so, no later than **August 4, 2011**.
6. To the extent the motion seeks to dismiss the defendant George Pappas, it is **DENIED**; and

7. Defendant Pappas shall file his answer to the complaint no later than **August 8, 2011**.

/s/ Timothy J. Savage
TIMOTHY J. SAVAGE, J.